

HOUSE BILL 846

Q6

2lr1503
CF SB 464

By: **Delegate George**

Introduced and read first time: February 9, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Transfer Tax – Collection**

3 FOR the purpose of authorizing the governing body of a county to provide, by law, for
4 the direct collection of the county transfer tax imposed on certain articles or
5 documents filed with the Department of Assessments and Taxation or the clerk
6 of the circuit court of a county; and generally relating to the collection and
7 distribution of the county transfer tax.

8 BY repealing and reenacting, with amendments,
9 Article – Tax – Property
10 Section 13–404(a) and (d)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Tax – Property**

16 13–404.

17 (a) Except as provided under [subsection (b)] **SUBSECTIONS (B) AND (D)** of
18 this section, the Department shall collect county transfer tax at the rate set by each
19 county for articles of transfer, articles of consolidation, or articles of merger filed with
20 the Department as required by § 3–107, § 4A–703, § 9A–903, or § 10–208 of the
21 Corporations and Associations Article, or other document filed with the clerk of the
22 circuit court of a county or the Department which evidences a merger or consolidation
23 of foreign corporations, foreign limited liability companies, foreign partnerships, or
24 foreign limited partnerships.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
2 **SUBSECTION, THE** Department shall:

3 (i) collect any county transfer tax imposed under subsection (a)
4 of this section; and

5 (ii) promptly remit the county transfer tax collected together
6 with copies of supporting documents to the Comptroller.

7 (2) From the revenue received, the Comptroller shall:

8 (i) deduct the cost to the Department of collecting county
9 transfer tax under this section; and

10 (ii) distribute the remainder of the revenue to the county in
11 which the property that is transferred is located.

12 **(3) THE GOVERNING BODY OF A COUNTY MAY PROVIDE, BY LAW,**
13 **FOR THE COLLECTION OF THE COUNTY TRANSFER TAX IMPOSED UNDER**
14 **SUBSECTION (A) OF THIS SECTION BY THE COUNTY TREASURER, TAX**
15 **COLLECTOR, OR DIRECTOR OF FINANCE.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2012.